

RCE/1353

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/666,541
Filing Date: 13 September 2003
First Named Inventor: Babich
Group Art Unit: 1752
Examiner Name: Amanda C. Walke
Attorney Docket Number: YOR920030191US1
CUSTOMER NO.: 27,623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. XXXXX Previously submitted

i. XXXXX Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on November 21, 2005 (any unentered amendment(s) referred to above will be entered).

ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on

iii. Other

b. Enclosed

i. Amendment/Reply with transmittal

ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS) and PTO-1449

iv. Other

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)

b. Other

3. **Fees** The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

a. XXXXX The Director is hereby authorized to charge the amount of **\$790.00** or credit any overpayments to Deposit Account No. **50-0510**.

i. XXXXX RCE fee (\$790.00) required under 37 C.F.R. §1.17(e)

ii. Extension of Time fee (\$120.00) (37 C.F.R. §§ 1.136 and 1.17)

iii. Other

b. Check in the amount of \$ 0.00 enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

January 5, 2006

Date of Signature

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01 FC:1801 790.00 DA

V. Alexanian

Vazken Alexanian

Agent for Applicant(s)

Registration No. 37,270

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10th Floor

Stamford, Connecticut 06901-2682

Telephone: (203) 327-4500

Telefax: (203) 327 6401

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 5, 2006.

Ruth J. Olivo

NAME

Ruth J. Olivo

SIGNATURE

January 5, 2006

DATE